

1 JIVAKA CANDAPPA (SBN225919)
Law office of Jivaka Candappa
2 46 Shattuck Square, Suite 15
Berkeley, California 94704
3 Telephone: (510) 981-1808
Facsimile: (510) 981-1817

4 Attorney for Plaintiff KEVIN WALKER
5

6 MICHAEL S. LAWSON (SBN 048172)
City Attorney
7 RANDOLPH S. HOM (SBN 152833)
Assistant City Attorney
8 CITY OF HAYWARD
777 B Street
9 Hayward, California 94541
Telephone: (510) 583-4450
10 Facsimile: (510) 583-3660

11 Attorneys for Defendants CITY OF
HAYWARD, ART THOMS, SCOTT
12 LUNGER, AND ZACHARY HOYER
13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 Case No. C 07 06205 (TEH)

17 KEVIN WALKER, Plaintiff,

18 v.

19 CITY OF HAYWARD, et al., Defendants.
20 _____/

STIPULATION RE: CONTINUANCE OF
TRIAL DATE, RELATED PRETRIAL
DATES, AND PROPOSED ORDER

21 Plaintiff Kevin Walker, and Defendants City of Hayward (“City”), Officer Art Thoms,
22 Officer Scott Lungert, and Officer Zachary Hoyer (collectively referred to as “City Defendants”),
23 through their respective attorneys of record, stipulate to the following order:

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1 1. That the parties completed a Mandatory Settlement Conference (“MSC”) session on November
2 20, 2009 before Magistrate Judge Maria Elena James, and that this matter was set for further MSC
3 on January 27, 2010, which was the Magistrate’s next available date;

4 2. That on or about January 19, 2010, the further MSC was cancelled by the Court on its own
5 motion, and that the Court advised the parties that the next available MSC dates were in April
6 2010.

7 3. That on or about January 20, 2010, the parties advised Magistrate Judge Maria Elena James that
8 they had agreed to April 13, 2010 for the MSC which is one of the available MSC dates.

9 4. That the Order for Pretrial Preparation set the following dates for this matter:

10 a. Trial Date: February 23, 2010

11 b. Pretrial Conference Date: February 8, 2010

12 c. Deposition of Expert Witnesses: February 2, 2010 (21 days before Trial Date)

13 d. Disclosure of Expert Reports January 29, 2010 (10 days before Pretrial Conference);

14 5. That in order to maximize the opportunity to resolve this matter at the MSC, by minimizing the
15 attorney fees and costs that will likely be incurred by the parties to accomplish the aforementioned
16 tasks, inter alia, required in the Order for Pretrial Preparation and the deadlines set forth in Court
17 Docket Nos. 69, 70, and 73;

18 6. That the trial date of February 23, 2010, and related pretrial dates, set forth in the Order for
19 Pretrial Preparation be vacated;

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1 7. That the trial date be reset for June 22, 2010, according to the availability of the Court, the
2 parties, witnesses, and their respective counsel, with all related pretrial dates set in accordance with
3 the new trial date. In this regard, the parties request that the Disclosure of Expert Reports occur on
4 May 17, 2010.

5 LAW OFFICES OF JIVAKA CANDAPPA

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7 Dated: January 25, 2010

By: /s/ Jivaka Candappa

8 JIVAKA CANDAPPA, Esq.
9 Attorney for Plaintiff

10 MICHAEL S. LAWSON, CITY ATTORNEY
11 OFFICES OF THE HAYWARD CITY ATTORNEY

12 Dated: January 25, 2010

By: /s/ Randolph Hom
13 RANDOLPH S. HOM, Esq.
14 Attorney for City Defendants

15 **ORDER**

16 PURSUANT TO THE STIPULATION AND GOOD CAUSE APPEARING, IT IS SO
17 ORDERED.

18 Dated: 01/26/10

19 THE HONORABLE THELTON E. HENDERSON
20 United States District Judge

